# No. 72

# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

WEDNESDAY, AUGUST 4, 2004 10:00 a.m.

### MOTIONS AND RESOLUTIONS

# HR 289 Rep. Bradstreet

A resolution to extend subpoena power to the House Education Committee and to its Subcommittee on Intermediate School District Review for the purpose of administering oaths, taking sworn testimony, and examining files and records regarding intermediate school districts in Michigan.

— 1 ———

(For text of resolution, see House Journal No. 61, page 1530 or Session Website; laid over 1 day June 29, 2004.)

(Rule suspended; passed for day June 29, 2004.)

### REPORTS OF STANDING COMMITTEES

\_\_\_\_ 2 \_\_\_\_\_

# HR 258 Rep. Byrum

A resolution to condemn remarks made by Betsy DeVos saying Michigan workers' wages are too high and calling for right-to-work laws.

(Reported by the Committee on Government Operations.)

(For text of proposed House substitute (H-2), see House Journal No. 45, page 1037 or Session Website.)

(For text of resolution, see House Journal No. 42, page 955 or Session Website; laid over 1 day May 20, 2004.)

### MESSAGES FROM THE SENATE

3

# HB 4454 Rep. Hoogendyk

Economic development; Michigan economic growth authority; benefits for eligible pharmaceutical companies; provide for.

Amends secs. 3, 4 & 8 of 1995 PA 24 (MCL 207.803 et seq.).

(Returned from Senate with amendment and immediate effect; laid over 1 day December 3, 2003.)

(I.E. House May 14, 2003.)

(For Senate amendment, see House Journal No. 89 of 2003, page 2253 or Session Website.)

### MESSAGES FROM THE SENATE

# **HB 4927** Rep. Ward

Vehicles; license plates; specialty plate for the "Thin Blue Line"; provide for.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding secs. 2170 & 217p.

(Returned from Senate with Senate substitute (S-3) and immediate effect; laid over 1 day April 22, 2004.)

(I.E. House December 10, 2003.)

(For House amendment, see House Journal No. 92 of 2003, page 2345 or Session Website.)

(For Senate substitute (S-3), see Session Website.)

# HB 5876 Rep. Sheen

Environmental protection; other; issuance of permits; impose deadline.

Amends secs. 3104, 3113, 3503, 4105, 6516, 6517, 6521, 8308, 8310, 8504, 9112, 11509, 11511, 11512, 11516, 11542, 11703, 11704, 11709, 30104, 30105, 30113, 30304, 30307, 31509, 31512, 32312, 32503, 32515, 32606, 35304, 36505, 41702, 41709, 42101, 42501, 42702, 44513, 44517, 45503, 45902, 45903, 45906, 51311, 61525, 62509, 63103c, 63524, 63525, 63704, 63708, 72108, 76105, 76109, 76504 & 80159 of 1994 PA 451 (MCL 324.3104 et seq.) & adds secs. 1301, 1303, 1305, 1307, 1309, 1311 & 1313.

(Returned from Senate with amendments and immediate effect; laid over 1 day July 6, 2004.)

(I.E. House June 29, 2004.)

(For House substitute (H-2), see Session Website.)

(For Senate amendments, see House Journal No. 64, page 1650 or Session Website.)

### THIRD READING

6

**HB** 4131 Rep. Daniels

Probate; other; dower rights; repeal.

Creates new act.

(Reported by the Committee on Judiciary.)

(Read a third time; passed for day November 5, 2003.)

(Laid over one day October 21, 2003.)

## THIRD READING

### **SB** 366 Sen. Cropsey

Education; teachers; mandatory professional development requirements; eliminate.

Amends secs. 1526 & 1526a of 1976 PA 451 (MCL 380.1526 & 380.1526a) & repeals sec. 1527 of 1976 PA 451 (MCL 380.1527).

(Reported by the Committee on Commerce.)

(Read a third time; postponed temporarily.)

(For Senate substitute (S-1), see Session Website.)

(Laid over one day December 10, 2003.)

### **HJR** U Rep. Newell

Family law; marriage and divorce; marriage; amend constitution to define.

Amends the state constitution by adding sec. 25 to art. I.

(Reported by the Committee on Family and Children Services.)

(Defeated; vote reconsidered; passed for day March 9, 2004.)

(Laid over one day February 24, 2004.)

9

### **HB 5628** Rep. Amos

Education; intermediate school districts; election of board members by voting district in certain intermediate school districts; make revisions in election law for.

Amends secs. 302, 303 & 310 of 1954 PA 116 (MCL 168.302 et seq.).

(Reported by the Committee on Education.)

(Read a third time; postponed temporarily March 17, 2004.)

(For House substitute (H-1), see Session Website.) (Laid over one day March 16, 2004.)

\_\_\_\_ 10 \_\_\_\_\_

### **HJR T** Rep. Drolet

Income tax; rate; cap on income tax rate; provide for. Amends sec. 7, art. IX of the state constitution.

(Reported by the Committee on Tax Policy.)

(Read a third time; postponed temporarily March 31, 2004.)

(Laid over one day March 30, 2004.)

### **HB** 5034 Rep. Milosch

Property tax; assessments; mobile homes; assess as real property.

Amends secs. 2a & 34c of 1893 PA 206 (MCL 211.2a & 211.34c) & repeals 1959 PA 243 (MCL 125.1035 - 125.1043).

(Reported by the Committee on Local Government and Urban Policy.)

(Defeated; vote reconsidered; passed for day June 17, 2004.)

(For House substitute (H-2), see Session Website.) (Laid over one day May 25, 2004.)

### SECOND READING

— 12 ———

# HB 4402 Rep. Shulman

Appropriations; zero budget; single section school aid bill; provide for fiscal year 2003-2004.

Amends sec. 11 of 1979 PA 94 (MCL 388.1611).

(Reported by the Committee on Appropriations.)

(For proposed House substitute (H-3), see Session Website.)

(Laid over one day June 8, 2004.)

\_\_\_\_\_ 13 \_\_\_\_\_

# **HB 4215** Rep. Ward

Elections; school; cancellation of uncontested school board election; allow.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1061.

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day April 29, 2003.)

\_\_\_\_ 14 \_\_\_\_\_

# **HB 4467** Rep. Ward

Elections; scheduling; cancellation of a special, primary, or general election if uncontested; provide for and revise write-in date for certain candidates.

Amends secs. 196, 354, 357, 539, 540, 541, 644f & 737a of 1954 PA 116 (MCL 168.196 et seq.) & adds sec. 653b.

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day April 29, 2003.)

\_\_\_\_ 15 \_\_\_\_\_

# HB 4602 Rep. Farhat

Elections; primary; presidential primary in 2004; eliminate.

Amends sec. 613a of 1954 PA 116 (MCL 168.613a).

(Reported by the Committee on Local Government and Urban Policy.)

(Read a second time; substitute (H-2) adopted; passed for day May 7, 2003.)

(For House substitute (H-2), see Session Website.) (Laid over one day May 6, 2003.)

State; symbol; ruffed grouse; establish as the state game bird.

Creates new act.

(Reported by the Committee on Conservation and Outdoor Recreation.)

(Laid over one day May 7, 2003.)

<del>\_\_\_\_ 17 \_\_\_\_\_</del>

### **HB** 4507 Rep. Hoogendyk

Health; research; research on embryonic stem cells; prohibit. Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 2685a.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day May 13, 2003.)

\_\_\_\_\_ 18 \_\_\_\_\_

# **HB** 4678 Rep. Minore

State; employees and officers; provision regarding endorsements of applicants for notary public; expand to include district judges.

Amends sec. 107 of 1846 RS 14 (MCL 55.107).

(Reported by the Committee on Local Government and Urban Policy.)

(Laid over one day June 10, 2003.)

\_\_\_\_ 19 \_\_\_\_\_

# HB 4153 Rep. Kooiman

Use tax; collections; collection on sale or lease of motor vehicles and vehicle-related items; earmark a portion to the school aid fund and the comprehensive transportation fund.

Amends sec. 21 of 1937 PA 94 (MCL 205.111).

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day June 26, 2003.)

<del>\_\_\_\_</del> 20 <del>\_\_\_\_\_</del>

# HB 4875 Rep. Richardville

Natural resources; hunting; use of crossbow by certain individuals during hunting season; allow.

Amends secs. 40104 & 40114 of 1994 PA 451 (MCL 324.40104 & 324.40114) & adds sec. 40115.

(Reported by the Committee on Conservation and Outdoor Recreation.)

(Laid over one day July 2, 2003.)

# SB 510 Sen. Leland

Environmental protection; water pollution; storm water discharge fees; increase and provide for disposition of funds.

Amends secs. 3118 & 3119 of 1994 PA 451 (MCL 324.3118 & 324.3119).

(Reported by the Committee on Government Operations.)

(For proposed House substitute (H-2), see Session Website.)

(For Senate substitute (S-3), see Session Website.)

\_\_\_\_ 22 \_\_\_\_\_

# HB 4705 Rep. Rocca

Property tax; payment and collection; income threshold to defer summer taxes; increase.

Amends sec. 51 of 1893 PA 206 (MCL 211.51).

(Reported by the Committee on Senior Health, Security and Retirement.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day October 16, 2003.)

### SECOND READING

\_\_\_\_ 23 \_\_\_\_\_

### SB 50 Sen. Jacobs

Recreation; other; health clubs; require certain procedures to address medical emergencies.

Creates new act.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-3), see Session Website.) (Laid over one day October 21, 2003.)

\_\_\_\_ 24 \_\_\_\_\_

# **HB 4297** Rep. Kolb

Environmental protection; air pollution; electronic equipment containing cathode ray tubes; ban from disposal in municipal solid waste incinerators.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 5502a.

(Reported by the Committee on Land Use and Environment.)

(For proposed House amendment, see House Journal No. 85 of 2003, page 2102 or Session Website.)

(Laid over one day November 6, 2003.)

\_\_\_\_ 25 \_\_\_\_\_

# **HB 5236** Rep. Farhat

Counties; assessments; voter approval for waste reduction program and funding amounts; provide for.

Amends sec. 8a of 1967 (Ex Sess) PA 7 (MCL 124.508a).

(Reported by the Committee on Land Use and Environment.)

(For proposed House amendments, see House Journal No. 85 of 2003, page 2103 or Session Website.)

(Laid over one day November 6, 2003.)

\_\_\_\_ 26 \_\_\_\_\_

# **HB 5237** Rep. LaJoy

Counties; assessments; definition of "households"; clarify.

Amends sec. 8a of 1967 (Ex Sess) PA 7 (MCL 124.508a).

(Reported by the Committee on Land Use and Environment.)

(For proposed House amendments, see House Journal No. 85 of 2003, page 2103 or Session Website.)

(Laid over one day November 6, 2003.)

\_\_\_\_ 27 \_\_\_\_\_\_

### **SB** 437 Sen. Switalski

Courts; funding; payment of certain costs as a condition of probation for juveniles; require.

Amends sec. 18, ch. XIIA of 1939 PA 288 (MCL 712A.18) & adds sec. 18m to ch. XIIA.

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

(For Senate substitute (S-1), see Session Website.) (Laid over one day December 2, 2003.)

### HB 5312 Rep. Rocca

Natural resources; hunting; sportsmen against hunger program; allow individuals to donate \$1.00 additional when purchasing hunting or fishing licenses.

Amends title of 1994 PA 451 (MCL 324.101 - 324.90106) & adds sec. 43540a.

(Reported by the Committee on Conservation and Outdoor Recreation.)

(Laid over one day December 3, 2003.)

# HB 5351 Rep. DeRoche

Counties; employees and officers; procedures for the vacancy in a county executive office; clarify.

Amends sec. 9 & 10 of 1973 PA 139 (MCL 45.559 & 45.560) & adds sec. 9a.

(Reported by the Committee on Local Government and Urban Policy.)

(Laid over one day December 9, 2003.)

<del>\_\_\_\_</del> 30 <del>\_\_\_\_\_</del>

# SB 601 Sen. Switalski

Cities; home rule; property maintenance codes and international codes; allow adoption by reference.

Amends sec. 3 of 1909 PA 279 (MCL 117.3).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.) (Laid over one day December 9, 2003.)

<del>\_\_\_\_</del> 31 <del>\_\_\_\_\_</del>

# HB 4863 Rep. Palmer

Sales tax; exemptions; sale of goods by nonprofit organizations; increase exemption allowed.

Amends sec. 40 of 1933 PA 167 (MCL 205.54o).

(Rule suspended; discharged from the Committee on Tax Policy; laid over 1 day December 16, 2003.)

— 32 ——

# HB 5298 Rep. Wenke

Sales tax; other; nonprofit exemption and deduction for certain consolidated returns; revise.

Amends secs. 40 & 8 of 1933 PA 167 (MCL 205.540 & 205.58).

(Reported by the Committee on Tax Policy.) (Laid over one day December 17, 2003.)

\_\_\_\_ 33 \_\_\_\_\_

### SB 193 Sen. Patterson

Vehicles; license plates; specialty plates for ducks unlimited; provide for.

Amends sec. 811e of 1949 PA 300 (MCL 257.811e); adds sec. 811o & repeals sec. 811o of 1949 PA 300 (MCL 257.811e)

(Reported by the Committee on Transportation.) (For Senate substitute (S-3), see Session Website.) (Laid over one day December 17, 2003.)

### SECOND READING

— 34 ———

# **HJR** V Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art VIII of the state constitution.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day February 17, 2004.)

\_\_\_\_ 35 \_\_\_\_\_

# **HB** 5261 Rep. Elkins

Children; support; nonprosecution under the support and parenting time enforcement act for arrearages if payer is participating in child support amnesty program; provide for. Amends sec. 3 of 1982 PA 295 (MCL 552.603).

(Reported by the Committee on Family and Children Services.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day February 19, 2004.)

\_\_\_\_\_ 36 \_\_\_\_\_

# HB 4935 Rep. Ruth Johnson

Education; intermediate school districts; intermediate school electors to vote for removal of intermediate board and appointment of reform board for intermediate school district; allow under certain circumstances.

Amends sec. 601a of 1976 PA 451 (MCL 380.601a) & adds secs. 606, 607, 608 & 609.

(Reported by the Committee on Education.)

(For proposed House substitute (H-3), see Session Website.)

(Laid over one day March 16, 2004.)

\_\_\_\_\_ 37 \_\_\_\_\_

# SB 753 Sen. Scott

Health; blood; childhood lead poisoning prevention and control commission; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5475a & repeals sec. 5474a of 1978 PA 368 (MCL 333.5474a).

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.) (Laid over one day March 23, 2004.)

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# SB 756 Sen. Hardiman

Health; other; lead safe housing registry; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5474a.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.) (Laid over one day March 23, 2004.)

### **HB** 5477 Rep. Hummel

Education; curricula; requirements for instruction in sex education; revise.

Amends secs. 1169 & 1507 of 1976 PA 451 (MCL 380.1169 & 380.1507) & adds sec. 1507b.

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day March 24, 2004.)

40 —

# **HB** 4680 Rep. Newell

Vehicles; license plates; choose life fund; establish.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 217j.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day March 25, 2004.)

<del>------</del> 41 ------

# **HB** 5599 Rep. Hoogendyk

Labor; hours and wages; electronic payment of wages; allow employer to require.

Amends sec. 6 of 1978 PA 390 (MCL 408.476).

(Reported by the Committee on Employment Relations, Training and Safety.)

(For proposed House amendments, see House Journal No. 33, page 753 or Session Website.)

(Laid over one day April 22, 2004.)

# HB 5066 Rep. Sheen

Vehicles; license plates; specialty plate for the military special forces; create.

Amends sec. 803e of 1949 PA 300 (MCL 257.803e).

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day April 22, 2004.)

\_\_\_\_ 43 \_\_\_\_

# HB 5487 Rep. Hune

Vehicles; license plates; fund-raising registration plate for 4-H; authorize.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811o.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day April 22, 2004.)

# **HB** 5833 Rep. Milosch

Financial institutions; generally; common trust fund act; provide for general amendments and expand to include collective investment funds.

Amends title & secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13 of 1941 PA 174 (MCL 555.101 et seq.) & adds secs. 4a & 5a.

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day May 4, 2004.)

## SECOND READING

<del>\_\_\_\_ 45 \_\_\_\_\_</del>

# HB 5323 Rep. Wenke

Single business tax; credit; professional employer organizations that are not captive providers; disallow credit.

Amends sec. 36 of 1975 PA 228 (MCL 208.36).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day May 5, 2004.)

46 —

# HB 4358 Rep. DeRossett

Vehicles; trucks; length limit; increase to 65 feet. Amends sec. 719 of 1949 PA 300 (MCL 257.719).

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day May 6, 2004.)

# SB 944 Sen. Hardiman

School aid; penalties; penalties related to instruction in sex education; revise and provide for complaint process.

Amends sec. 166a of 1979 PA 94 (MCL 388.1766a).

(Reported by the Committee on Education.) (For Senate substitute (S-4), see Session Website.) (Laid over one day May 13, 2004.)

# **HB** 5845 Rep. Julian

Gaming; casinos; withholding on casino winnings; provide for.

Amends sec. 351 of 1967 PA 281 (MCL 206.351).

(Reported by the Committee on Government Operations.)

(Laid over one day May 18, 2004.)

# **HB** 4357 Rep. Gaffney

Income tax; credit; credit for contribution to charitable organizations to benefit K-12 education; establish.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 270.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-3), see Session Website)

(Laid over one day May 19, 2004.)

50

# HB 4106 Rep. Jamnick

Taxation; state real estate transfer; transfer tax on transfer of certain manufactured homes; provide for.

Amends title & secs. 30c & 30g of 1987 PA 96 (MCL 125.2330c & 125.2330g) & adds sec. 30i.

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day May 20, 2004.)

<del>\_\_\_\_\_ 51 \_\_\_\_</del>

### **HB 4111** Rep. Jamnick

Property tax; other; manufactured housing subject to specific tax; exempt.

Amends sec. 2a of 1893 PA 206 (MCL 211.2a).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

(Laid over one day May 20, 2004.)

\_\_\_\_ 52 \_\_\_

# **HB** 4879 Rep. Richardville

Sales tax; exemptions; sales tax on used manufactured homes; provide for exemption.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4cc

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day May 20, 2004.)

\_\_\_\_\_ 53 \_\_\_\_\_

# **HB** 4880 Rep. Richardville

Mobile homes; other; manufactured housing specific tax; create and implement.

Creates new act & repeals 1959 PA 243 (MCL 125.1035 - 125.1043).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-6), see Session Website.)

(Laid over one day May 20, 2004.)

\_\_\_\_\_ 54 \_\_\_\_

# **HB** 4882 Rep. Richardville

Use tax; exemptions; use tax on manufactured home sales; eliminate.

Amends secs. 3 & 4g of 1937 PA 94 (MCL 205.93 & 205.94g) & adds sec. 4w.

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day May 20, 2004.)

55 —

# **HB 5844** Rep. Richardville

Income tax; property tax credit; Michigan manufactured housing specific tax paid; include for homestead property tax credit calculation.

Amends sec. 508 of 1967 PA 281 (MCL 206.508).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day May 20, 2004.)

### SECOND READING

\_\_\_\_ 56 \_\_\_\_\_

# **HB 5601** Rep. Ward

Veterans; other; official state POW/MIA monument; designate.

Creates new act.

(Reported by the Committee on Veterans Affairs and Homeland Security.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day May 25, 2004.)

57

# **HB 5877** Rep. Emmons

Transportation; other; process for issuance of certain permits and licenses; clarify and expand to include discount and refund language.

Amends secs. 6 & 9i of 1984 PA 44 (MCL 290.646 & 290.649i).

(Reported by the Committee on Commerce.) (Laid over one day May 25, 2004.)

\_\_\_\_\_ 58 \_\_\_\_\_

# HB 5883 Rep. Palmer

Occupations; private detectives; process for issuance of certain licenses; clarify and expand to include discount and refund language.

Amends secs. 9, 11 & 26 of 1965 PA 285 (MCL 338.829 et seq.).

(Reported by the Committee on Commerce.) (Laid over one day May 25, 2004.)

59

# **HB** 5891 Rep. Caswell

Occupations; construction; process for issuance of certain licenses; clarify and expand to include discount and refund language.

Amends secs. 209 & 211 of 1986 PA 135 (MCL 338.3209 & 338.3211).

(Reported by the Committee on Commerce.) (Laid over one day May 25, 2004.)

<del>\_\_\_\_\_</del> 60 <del>\_\_\_\_\_</del>

# HB 5902 Rep. Palsrok

Occupations; licensing fees; process for issuance of certain registrations and licenses; clarify and expand to include discount and refund language.

Amends secs. 207, 405, 409 & 411 of 1980 PA 299 (MCL 339.207 et seq.).

(Reported by the Committee on Commerce.) (Laid over one day May 25, 2004.)

# HB 5904 Rep. Pastor

Occupations; construction; process for issuance of certain permits and licenses; clarify and expand to include discount and refund language.

Amends sec. 4a of 1965 PA 290 (MCL 408.754a).

(Reported by the Committee on Commerce.) (Laid over one day May 25, 2004.)

<del>\_\_\_\_</del> 62 <del>\_\_\_\_\_</del>

# HB 4231 Rep. Koetje

Vehicles; abandoned; procedure for court officer involvement regarding the sale of abandoned vehicles; provide for. Amends secs. 252a, 252b, 252d & 252g of 1949 PA 300

(MCL 257.252a et seq.).

(Reported by the Committee on Government **Operations.**)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day May 26, 2004.)

\_\_\_\_ 63 \_\_\_\_

#### **5059** Rep. Ward HB

Education; curricula; instruction programs regarding warning signs and risk factors of suicide and depression; in-

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1171.

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day May 26, 2004.)

<del>\_\_\_\_\_</del> 64 <del>\_\_\_\_\_</del>

# HB 4325 Rep. Drolet

Vehicles; motorcycles; requirement of wearing crash helmets; provide exceptions under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

(Reported by the Committee on Transportation.) (Laid over one day May 27, 2004.)

**—** 65 **——** 

# **HB** 5885 Rep. Voorhees

Agriculture; agribusiness; process for issuance of certain permits and licenses; clarify and expand to include discount and refund language.

Amends 2001 PA 266 (MCL 288.471 - 288.540) by adding sec. 33a.

(Reported by the Committee on Agriculture and **Resource Management.)** 

(Laid over one day June 1, 2004.)

# **HB** 5898 Rep. Meyer

Agriculture; animals; process for issuance of certain pet shop licenses; clarify and expand to include discount and refund language.

Amends sec. 4 of 1969 PA 287 (MCL 287.334).

(Reported by the Committee on Agriculture and **Resource Management.)** 

(Laid over one day June 1, 2004.)

# **HB 5901** Rep. Shaffer

Agriculture; animals; process for issuance of certain licenses involving livestock dealers, brokers, or agents; clarify and expand to include discount and refund language.

Amends sec. 3 of 1937 PA 284 (MCL 287.123).

(Reported by the Committee on Agriculture and **Resource Management.)** 

(Laid over one day June 1, 2004.)

## SECOND READING

# **HB** 5886 Rep. DeRossett

Occupations; construction; process for issuance of certain licenses; clarify and expand to include discount and refund language.

Amends secs. 11 & 14 of 1988 PA 440 (MCL 338.3411 & 338.3414).

(Reported by the Committee on Government **Operations.**)

(Laid over one day June 2, 2004.)

\_\_\_\_\_ 69 \_\_\_\_\_

#### SB 885 Sen. Brown

School aid; categoricals; evaluation tool requirements for intermediate district preschool grants; eliminate.

Amends sec. 32j of 1979 PA 94 (MCL 388.1632j).

(Reported by the Committee on Appropriations.) (Laid over one day June 2, 2004.)

\_\_\_\_ 70 \_\_\_\_\_

#### **5919** Rep. Gaffney HB

State; symbol; Michigan treasure cookie; establish as the official state cookie.

Creates new act.

(Reported by the Committee on Agriculture and **Resource Management.)** 

(Laid over one day June 8, 2004.)

#### **5903** Rep. Hoogendyk HB

Mental health; code; process for issuance of certain permits and licenses; clarify and expand to include discount and refund language.

Amends sec. 137 of 1974 PA 258 (MCL 330.1137).

(Reported by the Committee on Government **Operations.**)

(Laid over one day June 15, 2004.)

# HB 5784 Rep. Murphy

Property; conveyances; transfer between state departments of certain state owned property in Ingham and Clinton counties; provide for.

Creates land transfer act.

(Reported by the Committee on Regulatory Reform.) (Laid over one day June 15, 2004.)

# HB 5078 Rep. Hardman

Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; include in definition of practice of medicine and clarify who is authorized to perform.

Amends secs. 17001 & 17051 of 1978 PA 368 (MCL 333.17001 & 333.17501) & adds secs. 17018 & 17518.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-3), see Session Website.)

(Laid over one day June 15, 2004.)

<del>\_\_\_\_ 74 \_\_\_\_</del>

# **HB** 5441 Rep. Pastor

Natural resources; wetlands; driveways; exempt from permitting requirements under certain circumstances.

Amends sec. 30305 of 1994 PA 451 (MCL 324.30305).

(Reported by the Committee on Conservation and **Outdoor Recreation.**)

(For proposed House substitute (H-4), see Session Website.)

(Laid over one day June 16, 2004.)

\_\_\_\_\_ 75 \_\_\_\_

HB 5537 Rep. Woronchak

Health facilities; nursing homes; regulation of temperature standards in nursing homes; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21735.

(Reported by the Committee on Senior Health, **Security and Retirement.**)

(For proposed House substitute (H-2), see Session

(Laid over one day June 17, 2004.)

<del>------ 76 ------</del>

# HB 5849 Rep. Vander Veen

Vehicles; license plates; state-sponsored fund-raising registration plate for Michigan nurses; provide for.

Amends sec. 811e of 1949 PA 300 (MCL 257.811e) & adds sec. 811m.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day June 17, 2004.)

\_\_\_\_\_ 77 <u>\_\_\_\_\_</u>

#### 5929 Rep. Koetje HB

Taxation; other; authority of school districts to vote a tax to fund public recreation systems and playgrounds; elimi-

Amends sec. 2 of 1917 PA 156 (MCL 123.52).

(Reported by the Committee on Tax Policy.)

(Laid over one day June 23, 2004.)

<del>----- 78 ------</del>

# **HB** 5987 Rep. Smith

Property tax; assessments; transfer of ownership of homestead property to new homeowners; exclude from definition of transfer of ownership.

Amends sec. 27a of 1893 PA 206 (MCL 211.27a).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session

(Laid over one day June 23, 2004.)

#### 4523 Rep. Brown HB

Vehicles; license plates; Vehicles; license plates; Vehicles; license plates; specialty plates for firefighters and emergency medical technicians; provide for.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 803r.

(Reported by the Committee on Transportation.) (Laid over one day June 24, 2004.)

### SECOND READING

— 80 ———

# **HB 5920** Rep. Kooiman

Transportation; motor carrier fuel tax; provision regarding joint and several liability between lessors and lessees for fuel taxes on commercial motor vehicles; eliminate.

Amends sec. 8 of 1980 PA 119 (MCL 207.218).

(Reported by the Committee on Transportation.)

(Laid over one day June 24, 2004.)

— 81 —

# **HB 6018** Rep. Amos

Transportation; motor fuel tax; administrative fines, civil fines, and criminal fines; increase.

Amends secs. 4, 5, 10, 10a & 10b of 1984 PA 44 (MCL 290.644 et seq.).

(Reported by the Committee on Agriculture and **Resource Management.)** 

(For proposed House substitute (H-1), see Session

(Laid over one day June 29, 2004.)

# **HB 6019** Rep. Amos

Agriculture; weights and measures; administrative fines, civil fines, and criminal penalties; increase.

Amends secs. 29, 31 & 31a of 1964 PA 283 (MCL 290.629 et seq.).

(Reported by the Committee on Agriculture and **Resource Management.)** 

(For proposed House substitute (H-1), see Session

(Laid over one day June 29, 2004.)

— 83 ———

#### HB **5415** Rep. DeRossett

Economic development; plant rehabilitation; procedure for a municipality to rescind an industrial development district; provide for under certain circumstances.

Amends sec. 4 of 1974 PA 198 (MCL 207.554).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day June 29, 2004.)

# **HB** 4177 Rep. Shackleton

Property tax; exemptions; real and personal property of fraternal and veterans organizations; exempt.

Amends sec. 70 of 1893 PA 206 (MCL 211.70).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day June 30, 2004.)

\_\_\_\_ 85 \_\_\_\_\_

#### HB 6036 Rep. Wenke

Property tax; exemptions; property owned by a charitable organization for conservation purposes and open to the general public for recreational use; exempt.

Amends sec. 70 of 1893 PA 206 (MCL 211.70).

(Reported by the Committee on Tax Policy.) (Laid over one day June 30, 2004.)

<del>-----</del> 86 <del>------</del>

### **HB** 5668 Rep. Julian

Taxation; tobacco; penalties for counterfeit tobacco products; provide for.

Amends secs. 2 & 8 of 1993 PA 327 (MCL 205.422 & 205.428).

(Reported by the Committee on Regulatory Reform.)
(For proposed House substitute (H-2), see Session Vehsite.)

(Laid over one day July 6, 2004.)

# HB 6020 Rep. Rocca

Holidays; "Police Officers Memorial Day"; establish. Creates new act.

(Reported by the Committee on Government Operations.)

(Laid over one day July 6, 2004.)

# SB 722 Sen. Brater

Environmental protection; pollution prevention; types of eligible projects; expand.

Amends sec. 14501 of 1994 PA 451 (MCL 324.14501) & adds sec. 14514.

(Reported by the Committee on Land Use and Environment.)

(Laid over one day July 6, 2004.)

— 89 ———

# SB 723 Sen. Basham

Environmental protection; pollution prevention; small business pollution prevention assistance revolving loan fund; revise eligibility criteria.

Amends sec. 14513 of 1994 PA 451 (MCL 324.14513).

(Reported by the Committee on Land Use and Environment.)

(Laid over one day July 6, 2004.)

— 90 —

# **HB 5630** Rep. O'Neil

Mental health; other; number of members on certain county mental health boards; revise.

Amends secs. 212 & 216 of 1974 PA 258 (MCL 330.1212 & 330.1216).

(Discharged from Committee on Health Policy; laid over one day July 6, 2004.)

91 —

# **SB 591** Sen. Hammerstrom

Mental health; code; entities to hold a medicaid specialty services contract; clarify.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 109h.

(Discharged from Committee on Health Policy; laid over one day July 6, 2004.)

(For Senate substitute (S-1), see Session Website.)

### SECOND READING

<del>\_\_\_\_ 92 \_\_\_\_</del>

### **SB** 1076 Sen. Hammerstrom

Mental health; community mental health; board membership on certain community mental health services board; revise.

Amends sec. 204 of 1974 PA 258 (MCL 330.1204).

(Discharged from Committee on Health Policy; laid over one day July 6, 2004.)

— 93 —

# SB 1079 Sen. Johnson

Mental health; community mental health; voluntary status as community mental health authority; revise in certain instances.

Amends sec. 232a of 1974 PA 258 (MCL 330.1232a).

(Discharged from Committee on Health Policy; laid over one day July 6, 2004.)

<del>-----</del> 94 -----

# HB 5590 Rep. Clack

Children; foster care; foster care independence act that provides services for certain youth in foster care; create.

Creates new act.

(Reported by the Committee on Family and Children Services.)

(Laid over one day July 14, 2004.)

95

# **HB 5810** Rep. Kooiman

Sales tax; exemptions; exemption of sales to builders of tangible personal property to be used in nonprofit arts buildings project; provide for.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4bb.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day July 14, 2004.)

96 —

# **HB** 5811 Rep. Huizenga

Income tax; credit; tax credit for donation to nonprofit organization for the construction of an arts building; provide for.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 269.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day July 14, 2004.)

<del>-----</del> 97 <del>------</del>

# HB 5812 Rep. Steil

Single business tax; credit; tax credit for donation to nonprofit organization for constructing an arts building; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39a

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

(Laid over one day July 14, 2004.)

— 98 —

### **HB** 6068 Rep. Kooiman

Use tax; exemptions; exemption of tangible personal property to be used in nonprofit arts buildings project; provide for.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4y.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day July 14, 2004.)

<del>\_\_\_\_\_</del> 99 <del>\_\_\_\_\_</del>

# SB 757 Sen. Clarke

Civil procedure; civil actions; penalties for landlords who repeatedly rent housing units without abating known lead hazards; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5475a.

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

(For Senate substitute (S-1), see Session Website.) (Laid over one day July 14, 2004.)

\_\_\_\_\_ 100 \_\_\_\_\_

### SB 1244 Sen. Cropsey

Probate; powers of attorney; appointment of a personal representative for disposition of a body when decedent has no assets or no known family members; allow.

Amends 1998 PA 386 (MCL 700.1101 - 700.8102) by adding sec. 3619.

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate amendment, see House Journal No. 56, page 1025.)

(Laid over one day July 14, 2004.)

— 101 —

# SB 1252 Sen. Switalski

Civil procedure; costs and fees; payment for transcripts for certain appeals; increase.

Amends sec. 2543 of 1961 PA 236 (MCL 600.2543).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

(Laid over one day July 14, 2004.)

\_\_\_\_ 102 \_\_\_\_\_\_

### SB 1328 Sen. Cropsey

Crimes; weapons; possession and use of certain weapons by law enforcement personnel; allow.

Amends sec. 224a of 1931 PA 328 (MCL 750.224a).

(Reported by the Committee on Judiciary.)

(For Senate amendments, see House Journal No. 68, page 1359.)

(Laid over one day July 14, 2004.)

## MESSAGES FROM THE GOVERNOR

\_\_\_\_ 103 \_\_\_\_\_

# **HB** 4511 Rep. Pappageorge

Administrative procedure; joint committee; procedure for objecting to rules; modify.

Amends secs. 45 of 1969 PA 306 (MCL 24.245).

(Reported by the Committee on Government Operations.)

(Vetoed by Governor on July 11, 2003; re-referred to the Committee on Government Operations.)

(Re-reported by the Committee on Government Operations February 4, 2004.)

(For veto message, see House Journal No. 61 of 2003, page 1296.)

# HB 4463 Rep. Robertson

Vehicles; license plates; state-sponsored fund-raising registration plate for cancer awareness; create.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811o.

(Reported by the Committee on Transportation.)

(Vetoed by Governor on March 5, 2004; passed for day March 9, 2004.)

(For veto message, see House Journal No. 19, page 317.)

# **HB** 4702 Rep. Caswell

Property tax; assessments; sale of certain agricultural property; exclude from sales ratio studies under certain circumstances.

Amends secs. 8 & 27 of 1893 PA 206 (MCL 211.8 & 211.27).

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on April 15, 2004; passed for day April 20, 2004.)

(For veto message, see House Journal No. 31, page 709.)

\_\_\_\_ 106 \_\_\_\_\_

# **HB 4720** Rep. LaJoy

State; purchasing; cooperative purchasing program between public schools and the department of management and budget; create.

Amends sec. 263 of 1984 PA 431 (MCL 18.1263).

(Reported by the Committee on Education.)

(Vetoed by Governor on April 7, 2004; passed for day April 20, 2004.)

(For veto message, see House Journal No. 31, page 709.)

# **HB** 4722 Rep. Moolenaar

Education; financing; inapplicability of certain requirements for school district purchasing if school district makes purchase through cooperative program with state; provide for.

Amends secs. 623a & 1274 of 1976 PA 451 (MCL 380.623a & 380.1274).

(Reported by the Committee on Education.)

(Vetoed by Governor on April 7, 2004; passed for day April 20, 2004.)

(For veto message, see House Journal No. 31, page 709.)

## MESSAGES FROM THE GOVERNOR

\_\_\_\_ 108 \_\_\_\_\_

### **HB 5190** Rep. LaJoy

State agencies (existing); generally; consolidation of state agencies' human resources departments; provide for. Creates new act.

(Reported by the Committee on Employment Relations, Training and Safety.)

(Vetoed by Governor on April 7, 2004; passed for day April 20, 2004.)

(For veto message, see House Journal No. 31, page 710.)

# **HB** 5479 Rep. Howell

Courts; district court; additional district judgeship in Mecosta-Osceola district; provide for and create election divisions.

Amends sec. 8142 of 1961 PA 236 (MCL 600.8142).

(Reported by the Committee on Judiciary.)

(Vetoed by Governor on April 7, 2004; passed for day April 20, 2004.)

(For veto message, see House Journal No. 31, page 710.)

\_\_\_\_\_ 110 \_\_\_\_\_

# **HB 5480** Rep. Howell

Courts; circuit court; additional circuit judgeship in Clare-Gladwin circuit; provide for.

Amends sec. 549g of 1961 PA 236 (MCL 600.549g).

(Reported by the Committee on Judiciary.)

(Vetoed by Governor on April 7, 2004; passed for day April 20, 2004.)

(For veto message, see House Journal No. 31, page 710.)

# HB 4160 Rep. Sheen

Labor; hours and wages; future living wage ordinances; prohibit.

Amends title & sec. 3 of 1964 PA 154 (MCL 408.383).

(Reported by the Committee on Employment Relations, Training and Safety.)

(Vetoed by Governor on May 7, 2004; passed for day May 11, 2004.)

(For veto message, see House Journal No. 40, page 890.)

# HB 5335 Rep. Stakoe

Economic development; enterprise zones; start-up businesses in neighborhood enterprise zone; exempt for certain period of time.

Amends sec. 9 of 1992 PA 147 (MCL 207.779).

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on May 28, 2004; passed for day June 1, 2004.)

(For veto message, see House Journal No. 49, page 1147.)

## MESSAGES FROM THE GOVERNOR

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# **HB** 5341 Rep. Milosch

Property tax; exemptions; start-up businesses; exempt from taxes for 5 years.

Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 7gg.

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on May 28, 2004; passed for day June 1, 2004.)

(For veto message, see House Journal No. 49, page 1147.)

— 114 ———

# HB 5342 Rep. Steil

Economic development; enterprise zones; start-up businesses in an enterprise zone; exempt for a certain period of time.

Amends sec. 21c of 1985 PA 224 (MCL 125.2121c).

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on May 28, 2004; passed for day June 1, 2004.)

(For veto message, see House Journal No. 49, page 1147.)

# HB 5343 Rep. Hummel

Economic development; obsolete property; start-up businesses; exempt for a certain period of time.

Amends sec. 10 of 2000 PA 146 (MCL 125.2790).

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on May 28, 2004; passed for day June 1, 2004.)

(For veto message, see House Journal No. 49, page 1147.)

# **HB** 5345 Rep. Farhat

Income tax; city; start-up business; exempt from tax for tax years in which the business does not make a profit.

Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 635a.

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on May 28, 2004; passed for day June 1, 2004.)

(For veto message, see House Journal No. 49, page 1147.)

# LAID ON TABLE

— 117 ———

# HB 5271 Rep. Gaffney

Courts; circuit court; third judicial circuit; revise provisions concerning number of judges.

Amends sec. 504 of 1961 PA 236 (MCL 600.504).

(Reported by the Committee on Judiciary.)

### STANDING COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)

BILLS IN CONFERENCE								
Bill No.	Brief Title	Conferees House Senate		Report Agreed to House Senate				
HB 4610	Gaming; horse racing; video lottery; allow at horse racetracks.	Julian Meyer Minore	Sikkema Hammerstrom Emerson	House	Senate			
HB 4612	Gaming; casinos; racing theaters at casinos; allow.	Rick Johnson Julian Daniels	Sikkema Stamas Emerson					
HB 5509	Appropriations; zero budget; department of agriculture; provide for fiscal year 2004-2005.	Pumford Caswell Phillips	Brown Hardiman Barcia					
HB 5516	Appropriations; zero budget; family independence agency; provide for fiscal year 2004-2005.	Kooiman Hoogendyk Kolb	Hardiman George Scott					
HB 5517	Appropriations; zero budget; general government; provide for fiscal year 2004-2005.	Taub Moolenaar Williams	Garcia McManus Switalski					
HB 5519	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2004-2005.	Amos Acciavatti Reeves	George McManus Clarke					
HB 5520	Appropriations; zero budget; judiciary; provide for fiscal year 2004-2005.	Stewart Steil Hunter	Cropsey Garcia Switalski					
HB 5521	Appropriations; zero budget; department of labor and economic growth; provide for fiscal year 2004-2005.	Shulman Steil Whitmer	Garcia George Prusi					
HB 5522	Appropriations; zero budget; department of military affairs; provide for fiscal year 2004-2005.	Caul Taub Williams	Brown Stamas Clarke					
HB 5526	Appropriations; zero budget; department of state police; provide for fiscal year 2004-2005.	Caul Taub Williams	Brown Stamas Clarke					
SB 727	Children; parenting time; grandparent visitation; revise to place burden of proof on the petitioning grandparent and require the court to give deference to a fit parent's actions and decisions.	Howell Gaffney Lipsey	Sanborn Patterson Clark-Coleman					
SB 1062	Appropriations; zero budget; community and junior colleges; provide for fiscal year 2004-2005.	Caswell Brandenburg Sak	Jelinek Stamas Switalski					
SB 1063	Appropriations; zero budget; department of community health; provide for fiscal year 2004-2005.	Newell Shaffer Whitmer	Stamas George Cherry					
SB 1064	Appropriations; zero budget; department of corrections; provide for 2004-2005.	Pumford Brandenburg Reeves	Cropsey Brown Prusi					

	BILLS IN CONFERENCE						
Bill No.	Brief Title	Confere House	es Senate	Report Ag House	reed to Senate		
SB 1065	Appropriations; zero budget; department of education; provide for 2004-2005.	Moolenaar Pumford Plakas	Jelinek Cropsey Scott				
SB 1066	Appropriations; zero budget; department of environmental quality; provide for fiscal year 2004-2005.	Pastor Moolenaar Brown	McManus Goschka Barcia				
SB 1067	Appropriations; zero budget; higher education; provide for fiscal year 2004-2005.	Caul Farhat Brown	Goschka Johnson Cherry				
SB 1068	Appropriations; zero budget; department of natural resources; provide for fiscal year 2004-2005.	Pastor Walker Brown	McManus Johnson Barcia				
SB 1069	Appropriations; zero budget; school aid; provide for fiscal year 2004-2005	Moolenaar Pumford Plakas	Jelinek Cropsey Switalski				